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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/567,374	02/07/2006	Daniele Androni	05788.0386	1188

22852 7590 08/05/2009
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WASHINGTON, DC 20001-4413

EXAMINER

DOBSON, DANIEL G

ART UNIT	PAPER NUMBER
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2613

MAIL DATE	DELIVERY MODE
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08/05/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 07/13/2009 have been fully considered but they are not persuasive.

Applicant's first argument is that "*Battou* does not teach or suggest at least that 'the control unit is configured to program the electronic switch according to a number of predetermined switch configurations and based on instruction received from on of the plurality of electro-optical components or from an external device.'" (Applicant's Arguments, 07/13/2009, p. 5.) In support of this argument Applicant states that "*Battou* does not teach or suggest the possibility of reprogramming, particularly dynamically, the FPGA on the fly. . ." (Applicant's Arguments, 07/13/2009, p. 5.) The examiner respectfully notes that these limitations are not a requirement of claim 22.

Claim 22 requires a dynamically configurable electronic switch, and that the control unit is configured to program the electronic switch according to a number of predetermined switch configurations and based on instructions received from an external device. Dynamically reprogramming the switch on the fly is not the same as switch that is dynamically configurable, and is programmed according to a number of predetermined switch configurations. A round robin schedule (§ 178, one way the switch may be programmed) is a program that tells the switch (FPGA, 1540) how to handle a number of predetermined switch

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configurations (Connection to input/output 1, then connection to input/output 2, etc.)

Applicant's next point is that *Battou* does not teach or suggest that the control FPGA 1544 of *Battou* is configured to dynamically program the FPGA 1540. (Applicant's Arguments, 07/13/2009, p. 6.) The examiner respectfully notes that this limitation is not a requirement of claim 22. The claim recites that the control unit is configured to program the electronic switch.

Applicant's last point is that "*Battou* does not teach or suggest that by reprogramming the FPGA 1540, the function of the Access Line Interface changes, compared to the original functionality." The examiner respectfully notes that reprogramming the switch to change the function of the ALI is not a limitation of claim 22.

In conclusion, the examiner respectfully submits that *Battou* discloses a control unit (FPGA 1540) and a dynamically configurable electronic switch (FPGA 1540, with 1st configuration of passing traffic to/from 1st GigE transceiver, 2nd configuration of passing traffic to/from 2nd GigE transceiver, etc.), wherein the control unit is configured to program the electronic switch according to a number of predetermined switch configurations (round robin program, 178) and based on instructions received from an external device (configuration and control of the ALI comes from the LCM (¶¶ 110-1), which reaches components on the ALI (including FPGA 1540) via the control FPGA (Fig. 15 connection between the FPGA (1540) and LCM is made through the control FPGA.))

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL G. DOBSON whose telephone number is (571)272-9781. The examiner can normally be reached on Mon. - Fri. 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kenneth Vanderpuye can be reached on (571) 272-3078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Daniel G. Dobson/
Examiner, Art Unit 2613
07/30/2009

/Kenneth N Vanderpuye/

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Supervisory Patent Examiner, Art Unit 2613